

Senate Bill No. 149

Passed the Senate August 27, 2012

Secretary of the Senate

Passed the Assembly August 23, 2012

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 18506 and 18870.7 of the Health and Safety Code, relating to mobilehome and special occupancy parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 149, Correa. Mobilehome and special occupancy parks: permit invoice: notice.

The Mobilehome Parks Act generally regulates various classifications of mobilehome and related vehicle parks. The Special Occupancy Parks Act generally regulates special occupancy parks. Those acts require any person prior to operating a manufactured housing community, mobilehome park, or special occupancy park to obtain a valid permit that is issued by the enforcement agency, as specified. Existing law requires that the permit be issued and invoiced according to a method and schedule established by the Department of Housing and Community Development.

The Mobilehome Residency Law and the Recreational Vehicle Park Occupancy Law govern tenancies in mobilehome parks and recreational vehicle parks and impose various duties on the owners of mobilehome parks and recreational vehicle parks and the agents and representatives authorized to act on behalf of the owners.

This bill would require that the invoice for the permits to operate issued pursuant to the Mobilehome Parks Act or the Special Occupancy Parks Act provide notice of the Mobilehome Residency Law and the Recreational Vehicle Park Occupancy Law, as applicable.

The people of the State of California do enact as follows:

SECTION 1. Section 18506 of the Health and Safety Code is amended to read:

18506. A permit to operate shall be issued by the enforcement agency. A copy of each permit to operate shall be forwarded to the department. A permit to operate shall not be issued for a park when the previous operating permit has been suspended by the enforcement agency until the violations which were the basis for

the suspension have been corrected. Any park which was in existence on September 15, 1961, shall not be denied a permit to operate if the park complied with the law which this part supersedes. A permit to operate shall be issued for a 12-month period and invoiced according to a method and schedule established by the department. The invoice shall provide notice of the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code) and the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), as applicable to the park. Any permit application returned to the enforcement agency 30 days after the due date shall be subject to a penalty fee equal to 10 percent of the established fee. The penalty fee for submitting a permit application 60 or more days after the due date shall equal 100 percent of the established permit fee. The penalty and the established permit fee shall be paid prior to issuance of the permit, and the fee and 100 percent penalty shall be due upon demand of the enforcement agency for any park which has not applied for a permit.

SEC. 2. Section 18870.7 of the Health and Safety Code is amended to read:

18870.7. A permit to operate shall be issued by the enforcement agency. A copy of each permit to operate shall be forwarded to the department. A permit to operate shall not be issued for a park when the previous operating permit has been suspended by the enforcement agency until the violations that were the basis for the suspension have been corrected. Any park that was in existence on September 15, 1961, shall not be denied a permit to operate if the park complied with the law that this part directly or indirectly supersedes. A permit to operate shall be issued for a 12-month period and invoiced according to a method and schedule established by the department. The invoice shall provide notice of the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code) and the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), as applicable to the park. Permit applications returned to the enforcement agency 30 days after the due date shall be subject to a penalty fee equal to 10 percent of the established fee. The penalty fee for submitting a permit application 60 or more

days after the due date shall equal 100 percent of the established permit fee. The penalty and the established permit fee shall be paid prior to issuance of the permit, and the fee and 100 percent penalty shall be due upon demand of the enforcement agency for any park that has not applied for a permit.

Approved _____, 2012

Governor